

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 18 and 22 have been cancelled. Claims 1-17 and 19-21 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the Amendments and Remarks as set forth hereinbelow.

ALLOWABLE SUBJECT MATTER

It is gratefully acknowledged that the Examiner considers the subject matter of claims 6-9 and 15-17 as being allowable. In addition, the Examiner considers the subject matter of claims 11-14 as being allowable if rewritten in independent form. It is respectfully pointed out that claims 11-14 depend either directly or indirectly from allowed claim 6. Thus, claims 6-17 should be in condition for allowance at this time.

As the Examiner will note, claims 3, 10, 12, 15 and 19 have been amended. It is respectfully submitted that all of the claims, namely, claims 1-17 and 19-21, are now in condition for allowance.

CLAIM FOR PRIORITY

It is gratefully acknowledged that the Examiner has recognized the Applicant's claim for foreign priority. In view of the fact that the Applicant's claim for foreign priority has been perfected, no additional action is required from the Applicants at this time.

DRAWINGS

The Examiner has objected to Figs. 11A and 11B as not being labeled as "Prior Art." Attached hereto is a Letter to the Official Draftsperson wherein Figs. 11A and 11B are labeled as "Prior Art." Formal Drawings have also been submitted to incorporate this change. All of the drawings are now believed to comply with the rules of the USPTO. Approval of the Formal Drawings is respectfully requested.

ACKNOWLEDGEMENT OF INFORMATION DISCLOSURE STATEMENT

The Examiner has acknowledged the Information Disclosure Statement filed on April 19, 2002. An initialed copy of the PTO-1449 has been received from the Examiner. No further action is necessary at this time.

OBJECTION TO THE CLAIMS

Claims 3 and 12 stand objected to because of the use of “is, formed.” As the Examiner will note, claims 3 and 12 have been amended to change the wording to “is formed” as suggested by the Examiner in his Office Action. The claims are now in proper form.

REJECTION UNDER 35 USC 112

Claims 10, 18 and 22 stand rejected under 35 USC 112 as being indefinite. This rejection is respectfully traversed.

As the Examiner will note, claims 18 and 22 have been cancelled. Claims 10 has been amended to incorporate the Examiner’s helpful suggestion. The claims now comply with the provisions of 35 USC 112.

REJECTION UNDER 35 USC 102

Claims 1-5 and 19-22 stand rejected under 35 USC 102 as being anticipated by Smith, U.S. 2,308,315. This rejection is respectfully traversed.

At the outset, it is respectfully submitted that claims 1-5 and 19-22 are not anticipated by the prior art cited by the Examiner. As set forth in Section 2131 of the MPEP Original Eighth Edition, August, 2001, page 2100-69:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ‘The identical invention must be shown in as complete detail as is contained in the claim.’ *Richardson v. Suzuki Motor Co.*, 868 F2d 1226, 1236, 9 USQP2d 1913, 1920 (Fed. Cir. 1989).”

It is respectfully submitted that the prior art cited by the Examiner does not set forth each and every limitation as defined in the claims. Thus, the Examiner’s rejection based on 35 USC 102 has been obviated.

It is respectfully submitted that claim 1 is directed to a combination of elements wherein a strap tightening device is slidably connected to a front part of the strap and the strap tightening device is capable of engaging with the seat bottom. Thus, the strap tightening device is slidable along the strap and is capable of engaging with the seat bottom. Therefore, the strap between the seat bottom and the anchoring member is taken up to tighten the strap. Consequently, the seat bottom can be firmly secured on the seat of the vehicle by the strap in a simple manner. See page 8, line 36 to page 9, line 4.

It is respectfully submitted that the Smith patent does not disclose the combination of elements as set forth in the claims. Although Smith does disclose a strap tightening device 11. However, the strap tightening device 11 is not engaged with the seat bottom 1. As illustrated in Fig . 2 of USP 2,308,315 the strap tightening device 11 is located apart from the seat bottom 1.

With regard to claim 19, a combination of elements are set forth wherein the first and second projections are so constructed that when the seat back is turned relative to the seat bottom, the second projection is first engaged with the first projection, and then climbs over the first projection. Thus, when the second projection climbs over the first projection, a user's hand senses a resistance and the user can hear a click sound. The angle of the seat back to the seat bottom thus enters the range of a working angle at this moment.

It is respectfully submitted that the Smith patent does not disclose the combination of features as set forth in the claims. In the Smith patent, even when an individual tries to turn the seat back relative to the seat bottom, the spring member 24, 25 will not climb over the tooth 23 unless the spring member 24, 25 is retracted by using a knob 25. The claims of the present application are not anticipated by the disclosure set forth in the Smith patent.

NO PROSECUTION HISTORY ESTOPPEL

Claims 1-17 and 18-21 are currently being prosecuted. No prosecution history estoppel would apply to the interpretation of the limitations set forth in claims in view of the fact that this subject matter has been continuously presented since the original filing date of the present application. Only minor corrections to claims 3, 10, 12, 15 and 19 have been presented in the present amendment. The amendments to claims 3, 10, 12, 15 and 19 are merely for clarification and do not affect the scope of the claims.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patent relied on by the Examiner.

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

In view of the above amendments and remarks, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (703) 205-8000 in the Washington, D.C. area.

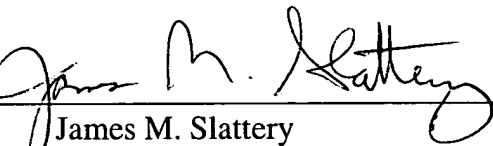
A prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for

any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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